

Visalia City Council Agenda

For the regular meeting of: MONDAY, December 15, 2008

Location: City Hall Council Chambers, 707 W. Acequia, Visalia CA 93291

Mayor: Jesus J. Gamboa
Vice Mayor: Bob Link
Council Member: Greg Collins
Council Member: Donald K. Landers
Council Member: Amy Shuklian

All items listed under the Consent Calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion on any item on the Consent Calendar, please contact the City Clerk who will then request that Council make the item part of the regular agenda.

WORK SESSION AND ACTION ITEMS (as described)

3:30 p.m.

Public Comment on Work Session and Closed Session Items –

- 3:30 p.m. 1. Receive the Citizens Advisory Committee's recommendations for procedural changes and provide direction on the 2008/2009 Public Opinion Survey.
- 3:45 p.m. 2. Mid-year report by Glenn Morris, CEO, Visalia Convention and Visitors Bureau.
- 4:10 p.m. 3. City-wide Code Enforcement Status Report; first reading of Ordinance amending Sections 8.40.060, 15.44.050, 15.44.070 and 15.44.160 of the Visalia Municipal Code revising Code Enforcement Inspections and Violation Notices; authorization of receivership process and use of Visalia Municipal Code Section 15.44.240 noticing property owners with rental housing used for drug activity. **Ordinance 2008-15 required.**
4. *Item removed at the request of staff*
- 4:35 p.m. 5. Authorize selection of New Animal Control Facility (ACF) Site.
- 5:00 p.m. 6. Approval of representatives on the General Plan Update Review Committee to work with staff on a Focused Update of the General Plan Land Use Element and Program EIR.

The time listed for each work session item is an estimate of the time the Council will address that portion of the agenda. Members of the public should be aware that the estimated times may vary. Any items not completed prior to Closed Session may be continued to the evening session at the discretion of the Council.

ITEMS OF INTEREST

CLOSED SESSION

6:00 p.m. (Or, immediately following Work Session)

7. Conference with Legal Counsel - Existing Litigation (Subdivision (a) of G.C. §54956.9)
Name of Case: Vadnais v. City of Visalia TCSC #08226539
8. Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: two potential cases

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Jim Rouse, Visalia Rescue Mission

SPECIAL PRESENTATIONS/RECOGNITION

CITIZENS REQUESTS - This is the time for members of the public to comment on any matter within the jurisdiction of the Visalia City Council. This is also the public's opportunity to request that a Consent Calendar item be removed from that section and made a regular agenda item for discussion purposes. Comments related to Regular or Public Hearing Items listed on this agenda will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight. In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (speaker timing lights mounted on the lectern will notify you with a flashing red light when your time has expired). Please begin your comments by stating and spelling your name and providing your street name and city.

9. **INFORMATION ITEMS** (no action needed) - Receive Planning Commission Action Agenda for the meeting of December 8, 2008.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

10. **CONSENT CALENDAR** - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.
 - a) Authorization to read ordinances by title only.
 - b) Authorize changes to the non-profit grant funding application process as recommended by the Citizens Advisory Committee.
 - c) Award the construction contract for the Highway 198 Overcrossing at Santa Fe Street to the low bidder Agee Construction Corporation in the amount of \$5,360,147.10. Project # 3011-00000-720000-0-9236.

- d) Approval of the 2008/09 Transit Agreement with Tulare County.
- e) Award of design contracts to the RRM Design Group for the design of the Packwood Creek trail from County Center to 1,100 ft east of Mooney; and to Sierra Designs for the design of the St. John's Riverwalk project at Ben Maddox and the St. John's River and authorize the City Manager to execute the consultant agreements for each project.

Authorize Notice of Completion for the following:

- f) Parcel Map 2007-06 (Orchard Walk East – a commercial property located at the NE corner of Riggin Avenue and Dinuba Blvd. - 6 lots).
- g) Construction of Parking Lot 44 Improvement Project at Tipton Street and Oak Avenue, with the final contract amount of \$102,687.54. Project No. 4511-720000-0-0-9377-2007.
- h) Renovation of the Plaza Park irrigation system, Project 0011-0-72-0-9754, for the construction of on-site improvements at a final cost of \$605,005.14.
11. Authorization to prepare and release a Request for Proposal (RFP) for the retention of a consultant to complete an economic study analyzing whether a rent control program for the mobilehome parks in Visalia is economically warranted and authorization to select and contract with a consultant for such study.
12. **PUBLIC HEARING** - Appeal of Historic Preservation Advisory Committee action HPAC 2008-18, filed by Mr. Wayne Atkins, to change exterior stairs for 944 S. Court Street.
13. Hearing to adopt a Resolution of Necessity on portions of the following properties to acquire real property by Eminent Domain for the Ben Maddox Way Bridge widening project: Portions of Mary's Vineyard (APN: 100-020-011, 012, 013); Portions of 1375 E. Mineral King (Galante/Flyers; APN 100-030-015); Portions of Galante - No situs (APN: 100-030-005, 007, 018) east and west of highway entrance/exit north of Noble; Portions of Wal-Mart - 1819 E. Noble (APN: 100-040-038, 100-050-001, 100-050-007). **Resolution 2008-60 required.**
14. **PUBLIC HEARING** authorizing the formation of Revised Underground Utility District No. 19 along Walnut Avenue from 300 feet west of centerline of Mooney Boulevard (State Route 63) to approximately 140 feet east of the centerline of Central Street. **Resolution 2008-61 required.**
15. Review and accept the FY 2007-08 Measure T Audit Report, as recommended by the Citizens Advisory Committee (CAC).

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

- Monday, January 5, 2009, Work Session 4:00 p.m. Regular Session 7:00 p.m. - Council Chambers, 707 W. Acequia, Visalia
- Monday, January 12, 2009, 6-8 p.m., Joint Meeting of Visalia City Council and Visalia Unified School District Board of Trustees, Convention Center, 303 E. Acequia, Visalia
- Tuesday, January 20, 2009, Work Session 4:00 p.m. Regular Session 7:00 p.m. Council Chambers, 707 W. Acequia, Visalia

Note: Meeting dates/times are subject to change, check posted agenda for correct details.

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services. Any written materials relating to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the Office of the City Clerk, 425 E. Oak Street, Visalia, CA 93291, during normal business hours.